

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 17-64 (DWF/KMM)

The United States and Edward S. Adams, through their respective and undersigned counsel, hereby respectfully request a continuance of the currently scheduled trial in this case until January 28, 2019.

The trial in this matter is currently set for October 9, 2018. On June 1, 2018, Mr. Adams filed a number of motions, including two dispositive motions, based on evidence elicited during a two-day evidentiary hearing in January 2018 and a very voluminous record. In light of the complexity of the motions and the fact that the lead prosecutor in the case recently left the U.S. Attorney's Office to join a law firm on the east coast, the United States requested an extension of the deadline to respond to Mr. Adams's motions. Magistrate Judge Menendez recently granted the United States an extension and ordered that the response of the United States be filed by July 23, 2018.

The issues raised in Mr. Adams's motions implicate important constitutional rights. The evaluation of these motions will likely require the Court to take the motions under advisement for a considerable period of time such that an October 9, 2018 trial date is unlikely. In addition, both parties have devoted considerable time to litigating these

important pre-trial motions, and, as a result, require additional time to prepare for trial. Furthermore, depending on the outcome of Mr. Adams's pending motions, the parties may need to make significant changes to their current trial strategies.

In short, continuing the trial date to afford both parties sufficient time to fully and fairly litigate Mr. Adams's pending motions, while simultaneously preparing for trial, would serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A) and (B). Importantly, no time has yet elapsed under the Speedy Trial Act because the Court previously granted Mr. Adams's request to exclude time under the Speedy Trial Act from March 31, 2017 (the date of arraignment) through October 9, 2018. (*See* February 13, 2017 Order [Docket No. 108].) Concurrent with the filing of this joint motion, Mr. Adams has submitted a new statement of facts requesting that the period of time from October 9, 2018, through the new trial date requested by the parties, January 28, 2019, also be excluded from the Speedy Trial Act. Therefore, the continuance sought by the parties will not result in any violation of the Speedy Trial Act.

The parties therefore respectfully request a continuance of the trial date until January 28, 2019. The parties also request that the deadline for the filing of all trial documents be set for January 15, 2019, and that a final pre-trial conference be held during the week of January 21, 2019.

Respectfully Submitted,

Dated: July 2, 2018

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